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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 7509

DEL SOLDATO, et al.

Group Art Unit: 1617

Application No.: 10/686,907

Examiner: Chong, Yong Soo

Filed: October 17, 2003

Atty. Dkt. No.: 026220-00039

For: NITRIC ESTER DERIVATIVES AND THEIR USE IN TREATING
GASTROINTESTINAL TUMORS

RESPONSE UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

May 4, 2007

Sir:

This paper is filed in response to the Office Action dated April 13, 2007, in connection with the above-identified patent application.

In response to the Office Action, Applicants hereby withdrawal the previous election and provisionally elect Group VI (claim 1 (in part), 2, 4, and 5-6 (in part), drawn to a method for the treatment of gastrointestinal tumors by administering a compound where X = O and R is chosen from subgroup VIA, and formula Ia of subgroup VIA in response to the Restriction Requirement, with traverse. Applicants respectfully submit that the provisional election of Group VI is consistent with the previous elections in response to the secondary restriction requirement and the election of species requirement, as discussed below. The Applicants reserve the right to file one or more divisional applications directed to the non-elected subject matter.